

SAO 245D

(Rev. 3/01) Judgment in a Criminal Case for Revocations
Sheet 1

FILED

UNITED STATES DISTRICT COURT

10 JUL 20 AM 9:10

SOUTHERN

District of

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
CALIFORNIA

UNITED STATES OF AMERICA

v.

IRA ITSKOWITZ

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Supervised Release)

(For Offenses Committed On or After November 1, 1987)

DEPUTY

Case Number: 99CR2080-BTM

MAYRA GARCIA

Defendant's Attorney

REGISTRATION No. 93328198

X admitted guilt to violation of allegation(s) No. 1-6

was found in violation of allegation(s) No. after denial of guilt.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following allegation(s):

<u>Allegation Number</u>	<u>Nature of Violation</u>
1	Failure to follow instructions by engaging in telemarketing
2	Failure to report as directed
3	Failure to provide financial disclosure
4-6	Committed a federal, state or local offense

Supervised Release is revoked and the defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

June 30, 2010

Date of Imposition of Sentence



BARRY TED MOSKOWITZ
UNITED STATES DISTRICT JUDGE

Entered Date:


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Sheet 2 — Imprisonment

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DEFENDANT: IRA ITSKOWITZ
CASE NUMBER: 99cr2080-BTM

IMPRISONMENT

x The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Twelve (12) Months as to each count concurrently and to run consecutively with the sentence in USDC-SCA case number 99cr2147-BTM


BARRY TED MOSKOWITZ
UNITED STATES DISTRICT JUDGE

X The court recommends to the Bureau of Prisons:
That the defendant serve his sentence in California.

- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ ☐ a.m. ☐ p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: IRA ITSKOWITZ
CASE NUMBER: 99CR2080-BTM

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of Two (2) years as to each count concurrently and also to run concurrently with USDC-SCA case number 99cr2147-BTM

MANDATORY CONDITIONS

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons unless removed from the United States.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

The defendant shall cooperate as directed in the collection of a DNA sample, pursuant to 18 USC 3583(d).

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, but not more than 2 times per month, unless defendant is removed from the United States.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: IRA ITSKOWITZ
CASE NUMBER: 99CR2080-BTM**SPECIAL CONDITIONS OF SUPERVISION**

- X Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- X Not possess firearms, explosive devices, or other dangerous weapons.
- X Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ___ If deported, excluded, or allowed to voluntarily leave the United States, obey all laws federal, state and local and not reenter the United States illegally and report to the probation officer within 72 hours of any reentry to the United States; the other conditions of supervision are suspended while the defendant is out of the United States after deportation, exclusion, or voluntary departure.
- X Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ___ Participate in a program of drug or alcohol abuse treatment including testing and counseling, with at least 1 to 8 tests per month and 1 to 8 counseling sessions per month as directed by the probation officer.
- X Provide complete disclosure of all personal and business financial records to the probation officer when requested.
- ___ Reside in a Residential Reentry center for a period of 120 days commencing upon release.
- ___ Participate in a program of mental health treatment as directed by the probation officer. The Court authorizes the release of the pre-sentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. The defendant shall consent to the release of evaluations and treatment information to the probation officer and the Court by the mental health provider.
- ___ Not aid, assist, harbor or transport undocumented aliens.
- ___ If the Defendant has complied with all conditions of Supervised Release for 1 year and obtained a vocational certification Supervised Release may be terminated on application to the court and good cause shown.
- ___ Not associate with known drug traffickers or users.
- X Not enter Mexico without the written permission of the probation officer.
- X Maintain full time employment or education or a combination of both.
- X Cooperate as directed in the collection of a DNA sample.
- X Cooperate with the Internal Revenue Service in payment of all taxes, penalties and interest owed.
- X Not engage in the employment or profession of telemarketing or fund solicitation or sales without approval of Probation officer
- X Make restitution in the amount of \$48,719,989.00, to the Clerk of the District Court for the benefit of the victims listed in and in the amounts listed in the order filed February 3, 2010, to be paid by the defendant in installments of \$500.00 per month subject to modification by the court. This is jointly with restitution in case number 99cr2147-BTM.

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Sheet 5 — Criminal Monetary Penalties

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DEFENDANT: IRA ITSKOWITZ [1]
CASE NUMBER: 99CR2080-BTM

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RESTITUTION

The defendant shall pay restitution in the amount of \$48,719,989.00 unto the Clerk of the Court
~~United States of America~~

Which applies jointly with USDC-SCA case number 99cr2147-BTM

This sum shall be paid immediately.
 x as follows:

To the victims listed and in the amounts listed in the order filed 02/03/2010. To be paid in installments of \$500.00 per month to the Clerk of the District Court. Subject to modification by the court as to the amount of the monthly payments.

The Court has determined that the defendant does not have the ability to pay interest. It is ordered that:

 x The interest requirement is waived.

 The interest is modified as follows: